

IN THE SENATE OF THE UNITED STATES.

DECEMBER 19, 1890.—Ordered to be printed.

Mr. ALLISON, from the Committee on Finance, submitted the following

REPORT:

[To accompany H. R. 1460.]

The Committee on Finance, to whom was referred the bill (H. R. 1460) to authorize the Secretary of the Treasury to issue certain duplicate bonds to James E. Andrews to replace same destroyed by fire, submit the following report:

A bill in all respects similar to the present was referred to the Committee on Banking and Currency of the Fiftieth Congress, and by that committee reported favorably.

The present committee adopt the report of said committee, which is as follows:

[House Report No. 2789, Fiftieth Congress, first session.]

From the letter of the Secretary of the Treasury and the affidavits of James E. Andrews, A. Murray, G. A. Whitney, and W. R. Baumbach, all hereto appended and made a part hereof, it appears that James E. Andrews, of Wadena, Minn., from some time in the year 1880 down to and including the 31st day of March, A. D. 1886, was the owner and in possession of four \$50 4 per cent. coupon United States bonds issued under the acts of July 14, 1870, and January 20, 1871, numbered 39027, 39028, 39029, and 39030, respectively, which bonds he kept in his residence and dwelling house. That on the day last mentioned his dwelling house, with its contents, including said bonds, was, without his fault, destroyed by fire, leaving some scant and charred fragments of the bonds, which were transmitted to and duly identified by the Treasury Department. The destruction of the bonds by fire and their ownership by Mr. Andrews when so destroyed is clearly proved.

Upon the facts in this case Mr. Andrews is clearly entitled to the relief he asks for in the bill, and your committee accordingly recommend its passage with the amendments indicated on the accompanying copy of bill.

TREASURY DEPARTMENT, *March 21, 1888.*

SIR: I have the honor to acknowledge the receipt of your letter of the 18th instant, transmitting certain papers relating to the loss by fire of four United States 4 per cent. coupon bonds for \$50 each, belonging to James E. Andrews, of Wadena, Minn., and asking the Department for additional information in the matter and aid in drafting a bill for the relief of Mr. Andrews.

It appears from the records of the Department that Mr. Andrews forwarded to this office, with a letter dated April 26, 1886 (copy inclosed), the charred fragments of certain bonds, which he stated had been dug from the ruins of his house. The customary expert examination was made, and the bonds were so far identified as to make it probable that they were 4 per cent. bonds of the acts of July 14, 1870, and January 20, 1871, for \$50 each, and that their numbers were 39027, 39028, 39029, and 39030, respectively, but they were so badly mutilated that it was considered necessary to have this partial identification verified by Mr. Andrews's statement as to their numbers, in order that section 3702 of the Revised Statutes might be complied with. Mr. Andrews was therefore requested to give the numbers of the bonds, and it was suggested to him that he might discover them by applying to the person from whom he bought the bonds, and so tracing them back until a record could be found. There

is no evidence in this Department that any attempt in this direction has been made, and the case has therefore made no progress since the charred fragments were received.

The records of the Department show that the 4 per cent. bonds of the denomination of \$50 bearing the above numbers are outstanding, and that coupons belonging to them dated April 1, 1886, and subsequently, are still unpaid. These facts sustain the partial identification of the bonds, though, owing to the brief lapse of time, they do not furnish conclusive evidence on that point.

Respecting your request for assistance in drafting a bill for the relief of Mr. Andrews, it may be sufficient to say that in similar cases it has been the practice to introduce a bill directing the Secretary of the Treasury to issue duplicate bonds with interest from a specified date in lieu of those destroyed (the same being fully described in the bill by number, denomination, and authorizing act), and to deliver said duplicate bond to the owner, who should be named, upon his filing in the Treasury Department a bond of indemnity, satisfactory to the Secretary of the Treasury, in double the amount of the destroyed bonds and the unpaid interest thereon.

The papers received with your letter are returned herein.

Very respectfully,

HUGH S. THOMPSON,
Acting Secretary.

Hon. KNUTE NELSON,
House of Representatives.

STATE OF MINNESOTA, *Wadena County, ss :*

Came before me James E. Andrews, who being first duly sworn, says : That his age is forty-one years ; that he is a married man, and resides with his family on the south half of southwest one-fourth of section number thirty-four, in township one hundred and thirty-four, north of range thirty-five west of the fifth principal meridian, in Wadena County, State of Minnesota ; that he has resided there for ten years.

That on the 31st day of March, A. D. 1886, he was the owner, and had and kept in his possession, at his home aforesaid, four United States Government coupon bonds, which bonds aforesaid were of the denomination of \$50, and drew interest at the rate of 4 per cent.

That he became the owner of the aforesaid bonds about the year 1880, and that he had cut off and used the matured coupons up to January 1, 1886.

That on said 31st day of March, 1886, his house, home, and household furniture was destroyed by fire ; and along with other things burned up and destroyed in said conflagration the said four Government bonds, with unpaid coupons attached, were burned up and wholly destroyed, and became wholly lost to affiant.

That the origin of the aforesaid fire is unknown to this affiant ; that after said fire I found burnt fragments of said bonds, and have sent same to the Secretary of United States Treasury.

JAMES E. ANDREWS.

Sworn to and subscribed before me this 18th day of February, 1888.

[SEAL.]

JOHN DOWER,
Clerk of District Court, Wadena County, Minn.

STATE OF MINNESOTA, *Wadena County, ss :*

Come before me M. Stewart, jr., who being duly sworn says that he is a resident of Verndale, Minn., and engaged in the business of banker at Verndale aforesaid. That he is well acquainted with James E. Andrews, and has been for last five years passed, and further knows him to be a citizen of Wadena County and a person of good repute, and entitled to credit and belief. Affiant further says that on the 4th day of January, 1886, he cashed and received from the said James E. Andrews sixteen interest coupons of Government 4 per cent. bonds of amounts of 50 cents each, being one year's interest on four bonds of \$50 each. That at said time the said James E. Andrews stated that he had and owned the said four Government bonds from which said interest coupons were taken.

M. STEWART, JR.

Subscribed and sworn to before me this 17th day of February, 1888.

[SEAL.]

W. H. BRITTS,
Notary Public, Wadena County, Minn.

STATE OF MINNESOTA, *County of Wadena, ss :*

I, John Dower, clerk of the district court for the fifteenth judicial district and county aforesaid, the same being a court of record, do hereby certify that W. H. Bitts, before whom the annexed instrument was acknowledged, was, at the time of taking such proof or acknowledgment, a notary public in and for said county of Wadena, and sworn and duly authorized to take the same; that I am well acquainted with the handwriting of such officer, and verily believe that the signature of said certificate of proof or acknowledgment is genuine. I further certify that said instrument is executed and acknowledged according to the laws of the State of Minnesota.

In testimony whereof I have hereunto set my hand and affixed the seal of said court at Wadena, this 18th day of February, A. D. 1888.

[SEAL.]

JOHN DOWER, *Clerk.*

STATE OF MINNESOTA, *County of Wadena, ss :*

G. A. Whitney, being duly sworn, says that he is now, and for more than five years last past has been, a resident of Wadena County, Minnesota. That he is well acquainted with James E. Andrews, a resident of said county, and knows him to be a person of truth and veracity.

That affiant knows that on the 31st day of March, A. D. 1886, the dwelling-house of said James E. Andrews, in said county, was destroyed by fire.

That to the best of his knowledge and belief, at the time of said fire the said James E. Andrews was the owner of four United States coupon 4 per cent. bonds of \$50 each, and that said bonds were destroyed in said fire.

G. A. WHITNEY.

Subscribed and sworn to before me this 18th day of February, A. D. 1888.

[SEAL.]

C. A. COUILLARD,
Notary Public, Wadena County, Minn.

STATE OF MINNESOTA, *County of Wadena, ss :*

I, John Dower, clerk of the district court for the fifteenth judicial district and county aforesaid, the same being a court of record, do hereby certify that C. A. Couillard, before whom the annexed instrument was acknowledged, was, at the time of taking such proof or acknowledgment, a notary public in and for said county of Wadena, and sworn and duly authorized to take the same; that I am well acquainted with the handwriting of such officer, and verily believe that the signature to said certificate or proof of acknowledgment is genuine. I further certify that said instrument is executed and acknowledged according to the laws of the State of Minnesota.

In testimony whereof I have hereunto set my hand and affixed the seal of said court at Wadena, this 18th day of February, A. D. 1888.

[SEAL.]

JOHN DOWER, *Clerk.*

STATE OF MINNESOTA, *County of Wadena, ss :*

A. Mooney, of Wadena County, Minnesota, being first duly sworn, deposes and says that during the years 1883, 1884, and 1885, prior and up to about the 1st day of July, 1885, he was engaged in the general banking business at Wadena, Minn., and acted as cashier of said bank; that he is well acquainted with James E. Andrews, and has been for five years or more last past, and knows him to be a person of good repute and entitled to credit and belief. Affiant further states that on or about the 9th day of January, 1884, he cashed and received from James E. Andrews sixteen interest coupons of four per cent. U. S. Government bonds of the amount of fifty cents each, being one year's interest on four bonds of \$50 each; that at said time and at various other times the said James E. Andrews stated to affiant that he held and owned the said four Government bonds from which said interest coupons were taken.

A. MOONEY.

Subscribed and sworn to before me this 18th day of February, 1888.

[SEAL.]

A. L. IRWIN,
Notary Public, Minnesota.

STATE OF MINNESOTA, *County of Wadena, ss :*

W. R. Baumbach, being duly sworn, says that he is a resident of Wadena County, Minn., and that for several years prior to January 20, 1885, he has been engaged in business as a general merchant; that he is well acquainted with James E. Andrews,

a resident of said Wadena County, Minn., and knows him to be a person of truth and veracity.

Affiant further states that on or about the 8th day of January, 1885, he received from said James E. Andrews sixteen interest coupons of 4 per cent. United States Government bonds of the amount of 50 cents each, representing one year's interest on four bonds of \$50 each; that he is informed and believes that said James E. Andrews was the owner and holder of said bonds from which said coupons were cut.

W. R. BAUMBACH.

Sworn and subscribed before me this 18th day of February, 1888.

[SEAL.]

A. L. IRWIN,

Notary Public, Minnesota.

STATE OF MINNESOTA, *County of Wadena, ss:*

I, John Dower, clerk of the district court for the fifteenth judicial district and county aforesaid, the same being a court of record, do hereby certify that A. L. Irwin, before whom the annexed instruments was acknowledged, was, at the time of taking such proof or acknowledgment, a notary public in and for said county of Wadena, and sworn and duly authorized to take the same; that I am well acquainted with the handwriting of such officer, and verily believe that the signature to said certificate of proof or acknowledgment is genuine. I further certify that said instrument is executed and acknowledged according to the laws of the State of Minnesota.

In testimony whereof I have hereunto set my hand and affixed the seal of said court at Wadena, this 18th day of February, A. D. 1888.

[SEAL.]

JOHN DOWER, *Clerk.*

The acting secretary of the Treasury, to whom the bill was referred, reports as follows:

TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,
Washington, D. C., December 11, 1890.

SIR: I have the honor to acknowledge receipt of your letter of the 9th instant requesting that the Committee on Finance be advised as to the propriety of the legislation contained in a bill (H. R. 1460) for the relief of James E. Andrews.

In reply I have to state that the four United States coupon bonds for \$50 each, numbered 39027 to 39030, inclusive, which are supposed to be identical with certain charred fragments of bonds received from Mr. Andrews in April, 1886, have not been presented or claimed by any other person, nor have any coupons belonging to those bonds bearing date later than January 1, 1886, been presented for payment, so far as this office is advised.

In view of the evidence submitted by Mr. Andrews, as shown in the report accompanying the bill, and the facts known to this Department, there seems to be no reasonable doubt that the claimant is entitled to relief. The bill is herewith returned.

Respectfully yours,

A. B. NETTLETON,
Acting Secretary.

Hon. JUSTIN S. MORRILL,
Chairman Committee on Finance, United States Senate.

The Committee therefore recommend the passage of the bill.